



9/29/04

BUDGETS

HB 5528 (Shulman)

Transportation budget

- Sikkema 1 (S-1) was adopted.
- Sikkema 1A (1 amend) was adopted.
- Sikkema 1B (2 amends) was adopted.
- Sikkema 1C (4 amends) was adopted.
- SCOTT 1D (1 amend) was adopted. This returned language to encourage the department to contract with businesses in economically distressed communities.
- Patterson 1E (1 amend) was adopted.
- PRUSI 1F (1 amend) was defeated. This would have removed language requiring legislative approval of five-year county road plans.
- PRUSI 1G (1 amend) was defeated.
- PRUSI 1H was withdrawn.
- SCHAUER 1I (1 amend) was defeated.
- HB 5528 was moved to 3rd Reading.
- HB 5528 passed with IE [RC 682: 35 yes, 0 no].

FINAL PASSAGE

SB 959 (McManus)

SB 961 (Cropsey)

SB 963 (Hardiman)

SB 964 (Sanborn)

SB 966 (Kuipers)

HB 5467 (Voorhees)

HB 5468 (Stahl)

HB 5469 (Hager)

HB 5470 (Vander Veen)

HB 5471 (Moolenaar)

HB 5472 (Bradstreet)

HB 5473 (WOJNO)

HB 5474 (GLEASON)

MARRIAGE REGULATION PACKAGE

SB 959 would expand the list of individuals exempted from regulation as a marriage and family therapist.

- SB 959 passed [RC 691: 35 yes, 0 no].

SB 961 would specify that if the parties to a marriage attend and complete a qualifying premarital education program, they could claim the income tax credit proposed under House Bill 5468.

- SB 961 passed [RC 692: 22 yes, 14 no].

SB 963 would amend license requirements for marriage, to require notification on the marriage certificate whether both parties received premarital education.

- SB 963 passed [RC 694: 25 yes, 11 no].

SB 964 would require a man and a woman who intended to apply for a marriage license to either complete a program in premarital education, or, in the alternative, wait 28 days rather than three for the delivery of the marriage license. The longer waiting period does not apply if both man and woman are 50 years of age or older.

- SB 964 passed [RC 693: 23 yes, 12 no].

SB 966 would require the State Court Administrative Office (SCAO), with the approval and at the direction of the state supreme court, to develop and make available a form that a parent could use to complete a parenting time plan.

- SB 966 passed [RC 694: 28 yes, 8 no].

HB 5467 would provide that if a party to a marriage license application does not complete a program in premarital education, the clerk shall not deliver the marriage license until at least 28 after the date of the application.

- HB 5467 passed [RC 680: 23 yes, 14 no]. Immediate Effect was not given to the bill [no RC]. Sen. Johnson (R): This is the most offensive piece of legislation I've ever seen in my lifetime. This is big government intrusion into the lives of individuals.

HB 5468 would provide qualified taxpayers with a nonrefundable credit against the income tax that is equal to the cost paid during the tax year for a premarital education program, up to \$50.

- HB 5468 passed with IE [RC 697: 21 yes, 15 no]. Immediate Effect was not given to the bill [no RC].

HB 5469 would specify that if the parties to a marriage attend and complete a qualifying premarital education program, they could claim the income tax credit proposed under House Bill 5468. This bill would require a premarital education program to emphasize skill-building strategies and to include, at a minimum, conflict management, communication skills, financial matters, and if the couple has or intends to have children, child and parenting responsibilities.

- HB 5469 passed [RC 686: 21 yes, 14 no]. Immediate Effect was not given to the bill [no RC].

HB 5470 would require that, unless exempted or excused, the parties to a divorce complete a divorce effects educational program and a questionnaire before the entry of the judgment of divorce, if there are minor children involved (or if the wife is pregnant and the husband would be considered the child's father under the law).

- **HB 5470 passed [RC 687: 22 yes, 12 no]. Immediate Effect was not given to the bill [no RC].**

HB 5471 would specify that in actions involving a dispute of a minor child's custody, the court to declare the child's inherent rights and establish the rights and duties as to the child's custody, support, and parenting time under court order or a court-approved parenting plan.

- **HB 5471 passed [RC 688: 26 yes, 9 no]. Immediate Effect was not given to the bill [no RC].**

HB 5472 would amend service of summons in divorce proceedings. Currently, each complaint for an action for divorce must list the names and ages of children of the marriage. If there are children under 17 years of age, a copy of the summons must be served on the county prosecutor, except, in counties with a population of 500,000 or more, the summons could be served on either the prosecutor or the Friend of the Court (FOC).

- **HB 5472 passed with IE [RC 689: 36 yes, 0 no].**

HB 5473 would amend license requirements for marriage, to require notification on the marriage certificate whether both parties received premarital education.

- **HB 5473 passed with IE [RC 696: 25 yes, 11 no]. Immediate Effect was not given to the bill [no RC].**

HB 5474 would expand the list of individuals exempted from regulation as a marriage and family therapist. This would allow retired clergy to perform marriage counseling.'

- **HB 5474 passed with IE [RC 690: 36 yes, 0 no].**

SB 1148 (PRUSI)

SB 1148 would allow members of the military and Michigan National Guard to purchase a hunting or fishing license for \$1, instead of the normal \$14.

- **SB 1148 passed [RC 681: 37 yes, 0 no].**

SB 1384 (Toy)

SB 1384 would amend the Crime Victim's Rights Act to specify that, to facilitate compliance with a Federal law requiring that every consumer reporting agency, upon request, clearly and accurately disclose certain information to consumers, a bona fide victim of identity theft would be entitled to a police report from a law enforcement agency in a jurisdiction where the alleged violation of identity theft could be prosecuted.

- **Toy 1 (1 amend) was adopted [no RC]. Technical changes.**
- **SB 1384 passed [RC 677: 36 yes, 0 no].**

HB 4766 (Pastor)

HB 4766 would: 1) Require a home for the aged seeking a license or a license renewal to have an emergency generator system. 2) Exempt a home for the aged that was licensed on the bill's effective date from the

emergency generator system requirement until the home underwent major building modification; and require an exempt home for the aged to have an executed written contract for the use of a generator in the event of an electrical supply interruption. 3) Establish a civil penalty for a home for the aged that did not comply with the requirements described above. 4) Require a nursing home to have an emergency generator system.

- HB 4766 passed with IE [RC 679: 36 yes, 0 no].

HB 5121 (HUNTER)

HB 5121 would enable Detroit and Grand Rapids public schools to continue to hire trained, certified police officers to maintain order and safety in their educational communities.

- Cropsey 1 (S-4) was adopted [no RC].
- Kuipers 1A (1 amend) was adopted [no RC].
- HB 5121 passed with IE [RC 702: 37 yes, 0 no].

HB 5319 (Casperson)

HB 5319 would shift revenue from the State Road and Bridge Program to the Local Bridge Fund. Beginning October 1, 2004, through September 30, 2006, the State Road and Bridge Program would lose \$12,789,500 annually for State bridge repair and the Local Bridge Fund would receive an equal amount for local bridges.

- Committee 1 (S-2) was not adopted.
- Stamas 2 (S-3) was adopted.
- HB 5319 was moved to 3rd Reading.
- HB 5319 passed with IE [RC 683: 36 yes, 0 no].

HB 5340 (Drolet)

HB 5340 provide that if the property is sold by the Macomb-Oakland Regional Center for any purpose other than for community-based services and the state has declined to exercise its first right to repurchase, the Macomb-Oakland regional center (MORC) would be required to repay the state in the following manner: (1) an amount equal to the appraised fair market value of the property based on its highest and best use at the time it was sold by the state minus the amount MORC paid for the property and (2) an amount equal to 50 percent of the price paid to MORC for the property by the subsequent purchaser minus the fair market value based on its highest and best use at the time it was sold to MORC by the state.

- HB 5340 passed with IE [RC 698: 36 yes, 0 no].

HB 5414 (Shulman)

HB 5414 would require a medical assistance (Medicaid) recipient or his or her legal counsel to notify the Department of Community Health (DCH) and, if appropriate, a "Medicaid-contracted health plan", when filing an action in which the DCH or health plan could have a right to recover expenses paid.

- HB 5414 passed with IE [RC 678: 36 yes, 0 no].

HB 5771 (Ruth Johnson)

HB 5772 (Ruth Johnson)

HB 5771 create a new fee structure for septage waste servicing and vehicle licenses and site permits; revise the requirements for each of these license, permit, and disposal methods; establish criteria for receiving facilities; create the "Septage Waste Program Fund"; require the Department of Environmental Quality to convene a septage advisory committee; and increase fines and penalties for violations of this part. The fee provided for in the bill would generate approximately \$500,000. This revenue would adequately support the costs incurred by the Department of Environmental Quality to fulfill the obligations included in this bill. There would be no fiscal impact on local governmental units.

Support: DEQ, MI Septage Tank Association, MML.

- **McManus 1 (2 amends) was adopted [no RC]. Technical changes.**
- **HB 5771 passed with IE [RC 700: 35 yes, 1 no (Sanborn)].**

HB 5772 would include in the sentencing guidelines the proposed felony offense of knowingly making a false statement or entry in a septage license application or other record.

- **HB 5772 passed with IE [RC 699: 36 yes, 0 no].**

HB 5906 (Van Regenmorter)

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HB 5906 and HB 5907 are necessary to clarify which individuals may be certified with police powers and to give legislative authority to some entities that currently operate police agencies but have no clear statutory authority to do so under recent interpretations of qualifying organizations.

HB 5906 would allow a public body to create a law enforcement agency by resolution of its governing entity. The public body could grant to that law enforcement agency's law enforcement officers the same powers, immunity, and authority as are granted by law to peace officers and police officers to detect crime and to enforce the criminal laws of the State and to enforce State laws, local ordinances, and the public body's ordinances and regulations.

- **Patterson 1 (1 amend) was defeated [no RC].**
- **Hardiman 2 (1 amend) was adopted [no RC].**
- **HB 5906 passed with IE [RC 703: 37 yes, 0 no].**

HB 5907 would mandate that law enforcement officers, created under HB 5906, are not empowered to exercise the authority of a peace officer and cannot be employed in a position for which a peace officer authority is granted under the laws of the state unless the following requirements are met: 1) The law enforcement officer has met or exceeded minimum standards for certification. 2) The law enforcement officer is deputized by the sheriff.

- **HB 5907 passed with IE [RC 704: 37 yes, 0 no].**

HB 6074 (Shulman)

HB 6074 would continue collection of the fee through December 31, 2010. The 7/8-cent per gallon regulatory fee generates approximately \$60 million annually.

- **HB 6074 passed with IE [RC 701: 32 yes, 5 no (gop)].**

HB 6165 (Ward)

HB 6165 would distribute funds generated from the excise tax levied on hotel and motel rooms in Wayne, Oakland, and Macomb Counties to a proposed "State Sports Tourism Fund" to promote Super Bowl XL (which Detroit will host in 2006).

- Committee 1 (S-1) was adopted.
- HB 6165 was moved to 3rd Reading.
- HB 6165 passed with IE [RC 685: 36 yes, 0 no].

HB 6208 (Ward)

HB 6208 would transfer jurisdiction of two existing Department of Natural Resources' oil and gas leases, along with the oil, gas, and mineral rights, from the State to the Department of Natural Resources (DNR). The leases and mineral rights are on the 422-acre property of the former Northville psychiatric hospital.

- HB 6208 was moved to 3rd Reading. No amendments.
- HB 6208 passed with IE [RC 684: 36 yes, 0 no].

THIRD READING

SB 517 (Hammerstrom)

SB 517 would expand the definition of "municipality" (and thereby expand the entities that may join the Municipal Employees' Retirement System.

- Committee 1 (S-3) was adopted.
- SB 517 was moved to 3rd Reading.

SB 1184 (Toy)

SB 1184 would allow a city to provide in its charter for a maximum fine of \$5,000 (rather than the current \$500) for the violation of city ordinances that are not civil infractions or blight violations.

- Toy 1 (S-1) was adopted.
- SB 1184 was moved to 3rd Reading.

SB 1321 (Allen)

SB 1321 would add motorcycle dealers to the category of regulated motor vehicle financing institutions. Required to pay a \$30 regulatory fee annually to cover the cost of licensure and regulation.

- Committee 1 (1 amend) was adopted.
- SB 1321 was moved to 3rd Reading.

SB 1386 (Sanborn)

SB 1387 (Sanborn)

HB 5336 (Stakoe)

HB 5347 (Nofs)

VIDEO PIRACY OF A MOVIE

SB 1386 would provide civil immunity to people who detained an individual believed to have committed a motion picture recording violation (proposed by House Bill 5347). Specifically, if the owner of a theatrical facility in which a motion picture was being shown alerted a law enforcement agency of an alleged motion picture recording violation and took measures, while awaiting the arrival of law enforcement authorities, to detain an individual whom he or she had probable cause to believe committed the violation, the owner would not be liable in a civil action arising out of the measures taken. This immunity would not apply, however, if the plaintiff showed that the measures taken were unreasonable and/or the period of detention was unreasonably long.

- Committee 1 (S-2) was adopted.
- SB 1386 was moved to 3rd Reading.

SB 1387 would allow a victim of video piracy to sue for 1) Actual damages. 2) Exemplary damages of not more than \$1,000. 3) Exemplary damages of not more than \$50,000, if violator were acting for direct or indirect commercial advantage or financial gain. 4) Reasonable attorney fees and costs.

- Committee 1 (S-2) was adopted.
- SB 1387 was moved to 3rd Reading.

HB 5336 would make the state sentencing guidelines conform to provisions in HB 5347 regarding prohibited recording (video pirating) of motion pictures without the consent of the owner or lessee of the facility.

- Committee 1 (2 amends) was adopted.
- HB 5336 was moved to 3rd Reading.

HB 5347 would prohibit and prescribe criminal penalties for knowingly operating an "audiovisual recording function" of a device in a facility where a motion picture was being exhibited (a.k.a., video pirating of a movie), without the consent of the facility's owner or lessee and of the motion picture's licensor.

- Committee 1 (S-2) was adopted.
- Cropsey 1A (1 amend) was adopted.
- Cropsey 1B (1 amend) was adopted.
- HB 5347 was moved to 3rd Reading.

HB 4335 (Robertson)

HB 4336 (Robertson)

HB 4335 would update current law regulating amateur boxing. Current law is antiquated and has failed to keep up with industry standards to the point where boxers and promoters take their business elsewhere. The bill would establish a separate boxing statute that would allow the state to regain its status as a state where boxing can flourish. The bill increases the minimum insurance promoters are required to purchase from \$1,000 for medical and \$5,000 for accidental death to \$50,000 for both medical and accidental death. This will ensure that boxers are adequately insured against injury or death during their matches.

- Committee 1 (S-2) was adopted.
- HB 4335 was moved to 3rd Reading.

HB 4336 would amend the state penal code to add the penalties contained in HB 4335.

- Committee 1 (S-1) was adopted.
- HB 4336 was moved to 3rd Reading.